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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CORNELIUS CLARK, CHESTER LEWIS,  
JOHN PONDS, AND GARRANT COSEY, on  
behalf of themselves and all other persons  
similarly situated,

Case No. C05-02670-MMC

**JOINT CASE MANAGEMENT  
CONFERENCE STATEMENT  
AND ORDER THEREON  
Hon. Maxine M. Chesney**

Date: November 21, 2008  
Time: 10:30 a.m.

**Plaintiffs,**

vs.

### ANNA'S LINENS, INC.,

Defendant.

1 MICHAEL T. LUCEY (SB # 9927) [mlucey@gordonrees.com](mailto:mlucey@gordonrees.com)  
2 MICHAEL D. BRUNO (SB # 166805) [mbruno@gordonrees.com](mailto:mbruno@gordonrees.com)  
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11 Attorneys for Defendant

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1 Pursuant to the Court's Minute Order filed on September 26, 2008 (Dkt. No. 170), Plaintiffs  
 2 Cornelius Clark, Chester Lewis, John Ponds, and Garrant Cosey ("plaintiffs") and Defendant Anna's  
 3 Linens, Inc. ("Anna's Linens"), by and through their counsel of record, jointly submit this Joint Case  
 4 Management Conference Statement.

5 The Court held a case management conference on September 26, 2008 regarding the status of  
 6 Anna's Linens' settlement negotiations with the EEOC to resolve the claims of charging parties  
 7 represented by plaintiffs' counsel that are not parties to this litigation and the effect of the EEOC  
 8 negotiations on the private parties' settlement in this action. The Court thereafter issued a Minute  
 9 Order requiring the parties to submit a Joint Case Management Conference Statement no later than  
 10 November 14, 2008 and scheduling another case management conference for November 21, 2008. *See*  
 11 Dkt. No. 170.

12 The current settlement status is that both the EEOC settlement agreement and the private  
 13 parties' settlement agreement in this action have been finalized and are being circulated for execution  
 14 by all parties. Plaintiffs intend to file a motion to dismiss in this action with the Court no later than  
 15 December 15, 2008. Plaintiffs request that the Court reschedule the status conference currently set for  
 16 November 21, 2008 to December 19, 2008 in the unlikely event that the parties require the Court's  
 17 assistance.

18 Dated: November 14, 2008

Respectfully submitted,

19 GOLDSTEIN, DEMCHAK, BALLER, BORGEN &  
 20 DARDARIAN

21 /s/ Roberta L. Steele  
 22 TERESA DEMCHAK (SB #123989)  
 23 ROBERTA L. STEELE (SB #188198)  
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5 ATTORNEYS FOR PLAINTIFFS

6 Dated: November 14, 2008

7 /s/ Brian P. Maschler  
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18 ATTORNEYS FOR DEFENDANT

22 ORDER

23 The Case Management Conference is hereby CONTINUED from November 21, 2008 to  
24 December 19, 2008. A Joint Case Management Statement shall be filed no later than December 12,  
25 2008.

26 Dated: November 17, 2008

  
United States District Judge